

DETAILED ACTION

1. Claims 1-24 are pending in this action.

Claim Objections

2. Claim 23 is objected to because of the following informalities:
 - a. Line 1: the first instance of "the user" phrase appears to have been erroneously placed in the claim language.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsubara, US 2003/0225796 (hereinafter Matsubara), in view of Butman et al., US 6,026,430 (hereinafter Butman).

For claim 1, Matsubara discloses:

A method of using a computer network (Abstract) comprising the steps of:

(a) Registering a multiplicity of Peernames ([0027], lines 2-4; [0030], lines 7-11, defines "file links" as including registration of PCs and other network resources);

(b) Maintaining a database of the multiplicity of Peernames on a server connected to the computer network ([0027], lines 2-4);

(d) Accepting a UserRequest from a user on the computer network, such UserRequest directed to a specific Peersite ([0063], lines 5-9, disclosure of system providing method of downloading files);

(f) Determining whether a Peersites Program associated with the specific Peersite has logged-into [the system] ([0045], lines 2-6 and [0064], lines 1-5), and if so, forwarding the UserRequest to the Peersites Program ([0066], lines 2-6);

(g) Accepting a response from the Peersites Program ([0064], lines 4-7, registry server maintain continually updated status of available network resources, obviating need for Peersites Program to respond);

(h) Forwarding the response to the user ([0064], lines 4-7).

Matsubara fails to disclose:

(c) Maintaining an association between each of the multiplicity of Peernames and at least one Peer Gateway, where the Peer Gateway is on the computer network;

(e) Determining the Peer Gateway associated with the specific Peersite ;

However, Butman discloses a peer resource sharing network which includes a gateway server, reading on the limitations:

(c) Maintaining an association between each of the multiplicity of Peernames and at least one Peer Gateway, where the Peer Gateway is on the computer network (col. 12, lines 25-27, domain communications server A1 serves as gateway for servers C1 through C9);

(e) Determining the Peer Gateway associated with the specific Peername (col. 16, lines 12-15, A1 disclosed to have dynamic client registry for storing associations);

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Matsubara with a peer-to-peer system with associated gateway, as taught by Butman, because this modification allows for communication between network entities both internal and external to a given local computer network (Butman, col. 1, lines 30-35).

For claim 2, the combination of Matsubara and Butman discloses:

The method of claim 1, wherein the computer network is the Internet (Matsubara, [0044], lines 5-7, disclosure of system being suitable for internet usage).

For claim 3, the combination of Matsubara and Butman discloses:

The method of claim 1, wherein the computer network is a local area network (Matsubara, [0044], lines 7-9, disclosure of system being suitable for private networks).

For claim 4, the combination of Matsubara and Butman discloses:

The method of claim 1, wherein the Peersites Program is located on a personal computer that has a connection to the Internet (Matsubara, [0031], lines 3-4, computers running the client/file server software, NRB, disclosed to consist of PCs).

For claim 5, the combination of Matsubara and Butman discloses:

The method of claim 1, wherein at least one of the Peernames is associated with one and only one Peersites Program (Matsubara, [0030], lines 7-11, discloses of shared resources including PCs and other resources, in the case of these types of resources, they are able to be uniquely identified by the resource sharing server database; Matsubara, [0039], lines 8-12, disclosure of each "file link" on RNS server being assigned unique identifier).

For claim 6, the combination of Matsubara and Butman discloses:

The method of claim 1, wherein the UserRequest is transformed into a Peer Transport Protocol compliant request and such Peer Transport Protocol compliant request is forwarded to the Peersites Program (Butman, col. 12, lines 61-67 to col. 13, lines 1-4, disclosure of systems C1 to C9 ability to communicate with each other through server A1, that is, the respective C systems' requests are properly formatted into network compliant protocol).

For claim 7, the combination of Matsubara and Butman discloses:

The method of claim 1, wherein the Peersites Program executes a routine to communicate over the computer network with the Gateway server (Butman, col. 12, lines 25-27 and col. 16, lines 12-15; Matsubara, [0031], lines 6-10).

For claim 8, Matsubara discloses:

A method of using a computer network (Abstract) comprising the steps of:

(a) Storing a multiplicity of Peernames on a first server accessible by computers on the computer network([0027], lines 2-4;[0030], lines 7-11, defines “file links” as including registration of PCs and other network resources);

(b) Associating a second server with at least one of the Peernames ([0027], lines 2-4);

(c) allowing a first computer to communicate with the first server and identify itself as the at least one of the Peernames to the first server ([0045]);

(d) having the first server provide the location of a second server to the first computer ([0066], lines 2-4);

(e) allowing the first computer to communicate with and identify itself as the at least one of the Peernames to the second server ([0066], lines 5-7);

(f) allowing a second computer to communicate with the first server and seek the at least one of the Peernames ([0063], lines 8-12, disclosure of client software communicating with server to locate desired resources);

(g) having the first server provide the location of the second server to the second computer ([0066], lines 2-4);

(h) allowing the second computer to communicate with the second server and to request an action associated with the Peername ([0066], lines 5-7);

(j) having the first computer serve a result of the action to the second server ([0066], lines 2-6);

(k) having the second server provide the result to the second computer ([0066], lines 2-6).

Matsubara fails to disclose:

(i) having the second server pass-through the requested action to the first computer.

However, Butman discloses a network which includes a gateway server, readings on the limitation:

(i) having the second server pass-through the requested action to the first computer (col. 12, lines 25-27);

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Matsubara with a peer-to-peer system with associated gateway, as taught by Butman , because this modification allows for communication between network entities both internal and external to a given local computer network (Butman, col. 1, lines 30-35).

For claim 9, Matsubara discloses:

A method of using a computer network (Abstract) comprising the steps of:

(a) Storing a multiplicity of Peernames on a first server accessible by computers on the computer network, each of the Peernames associated with a second server ([0027], lines 2-4; [0030], lines 7-11, disclosure of server maintaining registry of available computing resources);

(b) allowing a first computer to run a Peersites Program, by which the first computer can communicate with and identify itself as one of the multiplicity of Peernames to the second server ([0045], lines 2-6);

(c) allowing a second computer to communicate with the first server and seek the one of the multiplicity of Peernames from the first server ([0062], lines 7-12);

(d) having the first server provide the location of the second server to the second computer ([0066], lines 2-6);

(e) allowing the second computer to communicate with the second server and make a request designated to the Peername ([0062], lines 7-12; [0066], lines 2-6);

(g) having the first computer serve a response to the request to the second server ([0066], lines 2-6);

(h) having the second server provide the response to the second computer ([0066], lines 2-6).

Matsubara does not disclose:

(f) having the second server pass the request to the first computer;

However, Butman discloses a network which includes a gateway server, reading on the limitation:

(f) having the second server pass the request to the first computer (Butman, col. 12, lines 25-27);

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Matsubara with a peer-to-peer system with associated gateway, as taught by Butman, because this modification allows for communication between network entities both internal and external to a given local computer network (Butman, col. 1, lines 30-35).

For claim 10, the combination of Matsubara and Butman discloses:

The method of claim 9, wherein the second computer does not require software other than commercially available operating system and Internet browser software (Matsubara, [0033], lines 14-16).

For claim 11, the combination of Matsubara and Butman discloses::

The method of claim 9, wherein the location of the first server is provided as an IP Address (Matsubara, [0044], lines 5-7).

For claim 12, the combination of Matsubara and Butman discloses:

The method of claim 9, wherein the location of the first server is designated by a URL or URI that can be resolved through the Domain Name System (DNS) on the Internet to thereby locate the first server on the Internet (Matsubara, [0044], lines 5-7 and 9-12).

For claim 13, the combination of Matsubara and Butman discloses:

The method of claim 9, wherein the location of the second server is provided as an IP Address (Matsubara, [0044], lines 5-7).

For claim 14, the combination of Matsubara and Butman discloses:

The method of claim 9, wherein the location of the second server is designated by a URL or URI that can be resolved through the Domain Name System (DNS) on the Internet to thereby locate the second server on the Internet (Matsubara, [0044], lines 5-7 and 9-12).

For claim 15, the combination of Matsubara and Butman discloses:

The method of claim 9, wherein the Peername is independent of the IP address of the computer on which the Peersites Program is running (Matsubara, [0039], lines 8-12).

For claim 16, the combination of Matsubara and Butman discloses:

The method of claim 9, wherein the computer network is the Internet (Matsubara, [0044], lines 5-7).

For claim 17 Matsubara discloses:

A computer system ([0027], lines 13-14) comprising:

(a) a first computer running a Peername Service program, the Peername Service program having at least one name, the at least one name representing an auxiliary computer ([0027], lines 13-14);

Matsubara fails to disclose:

(b) at least one gateway program, the Peername Service program associating the at least one name with the at least one gateway program, wherein a user using a third computer may access the Peername Service program to retrieve the location of the at least one gateway program, and wherein the auxiliary computer communicates with the at least one gateway program,

(c) and the user may communicate with the gateway program to thereby create a communication link from the user to the auxiliary computer.

However, Butman discloses a network which includes a gateway server, readings on the limitation:

(b) at least one gateway program, the Peername Service program associating the at least one name with the at least one gateway program, wherein a user using a third computer may access the Peername Service program to retrieve the location of the at least one gateway program, and wherein the auxiliary computer communicates with the at least one gateway program (Butman, col. 12, lines 25-27 and col. 16, lines 12-15),

(c) and the user may communicate with the gateway program to thereby create a communication link from the user to the auxiliary computer (Butman, col. 12, lines 25-27 and col. 16, lines 12-15).

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Matsubara with a peer-to-peer system with associated gateway, as taught by Butman, because this modification allows for communication between network entities both internal and external to a given local computer network (Butman, col. 1, lines 30-35).

For claim 18, the combination of Matsubara and Butman discloses:

The computer system of claim 17, wherein the at least one gateway is on a second computer (Butman, col. 12, lines 25-27).

For claim 19, the combination of Matsubara and Butman discloses:

The computer network of claim 17, wherein the first computer is accessible on the Internet (Matsubara, [0044], lines 5-7).

For claim 20, the combination of Matsubara and Butman discloses:

The computer network of claim 18, wherein the second computer is accessible on the Internet (Matsubara, [0044], lines 5-7).

For claim 21 Matsubara discloses:

A method of locating a computer on a computer network (Abstract) comprising the steps of:

(a) registering a name for the computer on a name server ([0027], lines 2-4; [0030], lines 7-11);

(c) accepting a login connection from the computer (to the routing server) ([0045], lines 2-6);

(d) accepting a request from a user for the computer where the request is the name of the computer ([0063], lines 8-13);

(f) connecting the user to the computer (through the routing server) (col. [0066], lines 2-6).

Matsubara does not disclose:

(b) associating the name with a routing server ;

(c) (accepting a login connection from the computer) to the routing server ;

(e) (directing the user) to the routing server ;

(f) (connecting the user to the computer) through the routing server.

However, Butman discloses a network which includes a gateway server, reading on the limitation:

(b) (associating the name) with a routing server (col. 16, lines 12-15);

(c) accepting a login connection from the computer (to the routing server) (col. 17, lines 54-63);

(e) (directing the user) to the routing server (col. 16, lines 12-15);

(f) (connecting the user to the computer) through the routing server (col. 12, lines 25-27 and col. 12, lines 61-67 to col. 13, lines 1-4).

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Matsubara with a peer-to-peer system with associated gateway, as taught by Butman, because this modification allows for communication between network entities both internal and external to a given local computer network (Butman, col. 1, lines 30-35).

For claim 22, the combination of Matsubara and Butman discloses:

The method of claim 21, wherein the login connection from the computer may be made where the computer is behind a firewall (Butman, col. 12, lines 27-30, disclosure of computer being behind a firewall; Matsubara, [0045], lines 2-6).

For claim 23, the combination of Matsubara and Butman discloses:

The method of claim 21 wherein the user the request from the user may be made where the user is behind a firewall (Butman, col. 12, lines 27-30; Matsubara, [0062], lines 7-12).

For claim 24, Butman discloses:

A method of setting up a communication tunnel (col. 14, lines 36-39 and 21-24) between a first computer and a second computer, where the first computer and second computer are in private intranets (col. 14, lines 36-39), each behind a firewall (col. 12, lines 27-30), and where each of the first and second computers have access to the

Internet, but do not have a URL on the Internet (Butman, col 14, lines 40-42),
comprising the steps of:

(c) allowing the first computer to access a gateway server (col. 12, lines 25-27
and col. 12, lines 61-67 to col. 13, lines 1-4);

(e) routing the second computer to the gateway server associated with the name
of the first computer (col. 16, lines 12-15));

(f) establishing a communication tunnel through the gateway server from the first
computer to the second computer (via the Peersites Program functionality) (Butman,
col. 15, lines 39-42 and 21-24).

Butman does not disclose:

(a) running Peersites Programs on the first and on the second computer;

(b) registering a name of the first computer;

(d) on a name server, accepting a request for the name of the first computer from
the second computer;

(f) (establishing a communication tunnel through the gateway server from the first
computer to the second computer) via the Peersites Program functionality;

However, Matsubara discloses:

(a) running Peersites Programs on the first and on the second computer
(Matsubara, [0031], lines 6-10);

(b) registering a name of the first computer (Matsubara, ([0027], lines 2-4; [0030],
lines 7-11);

(d) on a name server, accepting a request for the name of the first computer from the second computer (Matsubara, [0063], lines 4-13)

(f) (establishing a communication tunnel through the gateway server from the first computer to the second computer) via the Peersites Program functionality (Matsubara, [0066], lines 2-6).

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Matsubara with a peer-to-peer system with associated gateway, as taught by Butman, because this modification allows for another method of management of shared files by users. (Matsubara, [0011]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLAYTON WILLIAMS whose telephone number is (571)270-3801. The examiner can normally be reached on M-F (7-30 a.m. - 5 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on 571-272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4152

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